[Image description: Black and white people's hands extended toward a handshake.]

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Equity by Design:

Revisiting Socioeconomic-Based Integration
Plans as Racial Diversity Strategies

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Revisiting Socioeconomic-Based Integration Plans as Racial Diversity Strategies

On September 15, 2020, in a 248-167 vote the U.S. House of Representatives passed H.R. 2639, the Strength in Diversity Act. The legislation seeks to "support the development, implementation, and evaluation of comprehensive strategies to address the effects of racial isolation or concentrated poverty by increasing diversity, including racial diversity, and socioeconomic diversity" via planning and implementation grants funded by the federal government (H.R. 2639, 2020, p. 2). School districts (individual or in collaboration with adjoining districts), regional educational authorities, and educational service agencies all would be eligible to apply for the grant funding (H.R. 2639, 2020). The bill is reminiscent of the "Opening Doors, Expanding Opportunities" grant program established near the end of the Obama Administration, that almost 30 school districts applied for to address socioeconomic segregation in their school communities. Yet, the "Opening Doors, Expanding Opportunities" program was cut by Secretary of Education Betsy DeVos; the districts who applied would not be granted funding to help increase diversity in their schools. And while the Strength in Diversity Act (2020) is not likely to pass the U.S. Senate, it is historic as it is the first time since the 1970s (see: Emergency School Aid Act of 1972) that the U.S. Congress has signaled a serious commitment to supporting voluntary efforts to desegregate public schools. It also offers an opportunity to examine the types of diversity strategies school districts are currently implementing and how they are working toward meeting their intended goals.

In this *Equity by Design Research Brief*, I pay particular attention to one such diversity strategy, socioeconomic-based (SES) integration plans, as they have become a popular strategy in the current legal landscape that favors race neutrality to achieve socioeconomic diversity, and in some cases racial diversity, in public schools. Since, and even prior to, the 2007 U.S. Supreme Court's decision in *Parents Involved in Community Schools v. Seattle School District No. 1*, which hindered the types of plans school districts can use to promote diversity in part by not allowing students' individual race to be a factor in such plans, SES-based integration plans have been turned to as a "safe" and legal way of pursuing diversity efforts. Yet, research shows that these race-neutral plans are less effective in establishing racially diverse schools[1] as compared to race-conscious plans (Anderson & Frankenberg, 2019).

To help education stakeholders understand integration efforts in the current sociopolitical context, I first provide an overview of SES-based integration, and then focus on a few districts that have been implementing SES-based integration plans for an extended period of time to see how

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[1]The Strength in Diversity Act was introduced again in February 2021 by two House Democrats.

they are currently meeting their intended diversity goals. Finally, I conclude with considerations moving forward as school district communities grapple with issues of (re)segregation.

Lack of Clarity Around Socioeconomic-based Integration Plans Amidst Changes in Administrations

As previously mentioned, in the post-*Parents Involved* (2007) era, school districts are relying more on race-neutral measures like SES to achieve integration (Diem, 2012, 2015). Part of the reason school districts are using such methods lies within the confusion surrounding the *Parents Involved* (2007) ruling as it did not completely strike school districts' ability to use race as one of many factors in their student assignment policies—but is often interpreted as doing so. The Obama Administration tried to clarify the Court's ruling in their 2011 legal and policy guidance, which included ways in which school districts could assign students to schools using race (U.S. DOJ & U.S. DOE, 2011). Yet, when the Trump Administration came into office, they rescinded this federal guidance and conveyed their preference for race-neutral approaches to student assignment policies. Now that school districts do not have clear guidance on how to proceed in creating integrated schools, and many still believe that they cannot use race in their student assignment plans, some have decided not to pursue such efforts, while others are using SES-based plans as they are less controversial and not likely to be subject to strict scrutiny by the courts (Anderson & Frankenberg, 2019;

Frankenberg et al., 2015; Kahlenberg, 2007; Reardon et al., 2006).

Current State of Socioeconomic-based Integration Plans

Approximately 100 school districts across the U.S. have created integration plans that use SES as a factor in their policies (Kahlenberg, 2016; Potter et al., 2016). Of these school districts, 59 have been identified as actually implementing SES-based integration plans and 46 only use students' SES when making student assignment decisions; 13 school districts use race and SES to achieve their diversity goals (Anderson & Frankenberg, 2019). Further, even though many argue that SES can serve as a proxy for race, and thus using SES to diversify schools will also result in racial integration, those 46 districts that just rely on SES to diversify their schools have much lower levels of racial integration than the 13 that use SES and

[Image description: A masculine-presenting student with light brown skin and an afro, wearing a facemask, is in the foreground, with three other students wearing facemasks in the background.]

race in their integration plans (Anderson & Frankenberg, 2019). Indeed, the type of SES measure used in integration plans can play a key role in districts' ability to achieve diversity. For example, free/reduced-price lunch, the standard indicator of SES used in public schools, is considered to be an inaccurate binary in trying to achieve racial integration, as a student is simply noted as either eligible or not (Harwell & LeBeau, 2010). We need more nuanced SES factors such as parental/family income level, neighborhood/census tract income level, and the like, if we really want to understand students' economic status, and create more successful integration policies.

[Image description: A racially and ethnically diverse group of elementary students, of various gender expressions, sitting on the floor together. Some students have their hands raised with hand in the shape of a fist.]

In a previous MAP Center brief (see Diem & Pinto, 2017), I outlined a number of methods that school districts can use to assist in their integration efforts. These methods include: magnet schools, controlled choice plans, countywide plans, and inter-district programs. When looking at the methods currently being used by school districts in their SES-based integration

strategies, research shows that among the most popular are magnet schools and districtwide choice policies, along with attendance zone boundaries and transfer policies (Anderson & Frankenberg, 2019; Potter et al., 2016). Specifically, in Anderson and Frankenberg's (2019) review of the 59 districts implementing SES-based integration plans, 26 use a magnet school admissions process, 23 use attendance school boundaries (redrawing boundaries as appropriate to achieve diverse schools), 14 have districtwide choice policies, and eight pay particular attention to SES and/or race when considering transfer requests. And among all of the strategies used by these school districts, those that are using both a diversity-based magnet admissions process and attendance zone boundaries are most effective in reducing socioeconomic and racial segregation in their schools.

A Closer Looks at Three Socioeconomic-based Integration Plans

A little over ten years ago, I conducted a study to learn more about how school districts use socioeconomic factors to design and implement integration plans based on voluntary choice and SES, and whether these plans were successful in meeting their intended diversity goals in school buildings (Diem, 2012, 2015). I studied three school districts that varied in size, and geographic and sociopolitical contexts, as well as factors used in their integration efforts: Berkeley Unified School District (Berkeley, CA), Jefferson County Public Schools (Louisville, KY), Omaha Public Schools (Omaha, NE). I was particularly interested in how the plans

were designed and implemented, as well as how the success of the plans depended greatly on the people involved in the process. This included historical and present-day policies surrounding the plans (e.g., desegregation and housing policies), and the sociopolitical and geographic contexts in which the districts are situated. Given that it has been a decade since this research was done, I wanted to revisit the districts and see whether they were still implementing their voluntary choice and SES-based integration plans. I also thought it would be valuable to look at these plans in a much different demographic context, as the majority of the U.S. public school population is now nonwhite, which was not the case when the initial study was conducted. Context matters—demographic, geographic, social, political—when creating and adopting policies. I wanted to learn more about how school districts who continue to pursue integration are navigating the complexities associated with such contexts.

Berkeley Unified School District

In 2018, the Berkeley Unified School District (BUSD) celebrated the 50th anniversary of its school integration plan. BUSD's 1968 school integration plan was voluntary and used busing, for both Black and white students, as a means to desegregate its schools (Sullivan & Stewart, 1969; Wollenberg, 2008). The goal of the plan was for each school to have a student population that was 50% white, 41% Black, and 9% other racial groups (Chavez & Frankenberg, 2009). While the plan helped to shift the racial demographics of the district's schools, as was the case in many communities across the U.S., white families who did not want their children attending integrated schools left BUSD, leading the district to experience challenges

when it came to integration.

It was not until the 1990s when the district would revise its plan to better achieve integration, attending to the community's needs. The district came up with a plan that divided the city into three attendance zones and offered families school choice (top three preferences for elementary schools in their zone). The city was mapped into 445 planning areas, each of which is four to eight city blocks wide, to look at residential patterns of Berkeley by race/ethnicity. The goal of the plan was to maintain a racial balance at each school that was representative to that of the attendance zone it was located, plus/minus 5 percentage points (Wicinas, 2009). This iteration of the plan was implemented in the 1995-1996 school year.

> We need more nuanced SES factors...if we really want to understand students' economic status, and create more successful integration policies.

The current version of BUSD's integration was implemented in the 2004-2005 school year. Instead of being solely based on race, the district began using multiple criteria in its integration plan. A diversity profile was given to the previously mentioned 445 planning areas that encompass the city. The diversity profile was based on average household income, average parent/guardian educational level, and percentage of Students of Color. According to BUSD (2018), "These three elements are included so that students from differing neighborhoods can be assigned proportionally to schools" (n.p.). The goal of the plan is to have a racial and socioeconomic balance at each school, plus/

minus 5-10 percentage points, that looked like the geographic zone in which the school was located, and to give families options in the schools where they wanted their children to attend. According to Ed-Data (2020), the ethnic diversity index at BUSD, which "is intended to measure how much 'diversity' or 'variety' a school or district has among the ethnic groups in its student population," is 60 out of 100 (n.p.). A higher index score represents a more evenly distributed student population. The highest index for a school is reported to be 76 (Ed-Data, 2020). However, the Black student population has decreased over the last ten years in the district and now represents only 13% of the population; the white student population is still the highest and has increased to 41.2%, 22.2% Latinx, 15.1% two or more races, and 7.2% Asian. The number of students who receive free/reduced-price meals has also decreased to 27.2% of the population (Ed-Data, 2020).

Jefferson County Public Schools

The Jefferson County Public Schools (JCPS) district, located in Louisville, Kentucky, is known as "the only big city in the United States that has stood by racial desegregation since 1975" (Garland, 2020, n.p.). In 1974, the U.S. Court of Appeals for the Sixth District ordered the city of Louisville school system and the Jefferson County school system to merge (McNeal, 2009). This new countywide school system would also implement a desegregation plan that would require a certain percentage of Black students in all elementary and secondary schools (Cunningham & Husk, 1979; *Parents Involved*, 2007). While the initial response to desegregation in Louisville was similar to other cities (i.e., violence, white flight to schools outside of

the district), over the years the district has been able to maintain wide support for its integration across the community. Indeed, the district has been able to shift its plan over time to meet its racial balance goals in schools while also offering more families choices of where to send their children and establishing zones and satellite areas to allow children to attend schools closer to where they live (Ross, 2015).

It was not until 2000, after a recently dismissed court case was revived and JCPS ended 25 years of its court-ordered desegregation decree (*Hampton v. Jefferson County Board of Education,* 1999, 2000), that the district made major changes to its desegregation plan. The district was no longer required to adopt a desegregation plan but voluntarily chose to do so, modifying the plan so that no student could be denied admission to a magnet school because of their race (*Hampton,* 2000). JCPS kept a prior guideline that called for student populations at schools to be comprised of between 15-50% Black students (Ross, 2015). After years of court battles against the JCPS desegregation plan, the U.S. Supreme Court agreed to hear a petition by a JCPS parent who believed her son was denied admission to a school because he was white. The case, *Meredith v. Jefferson County Board of Education* (2007), was ruled together with another school desegregation case out of Seattle, WA, *Parents Involved in Community Schools v. Seattle School District No. 1* (2007); ultimately, the Court sided with Meredith, declaring race cannot be the only factor when assigning students to school to achieve diversity.

Although JCPS could have disbanded its student assignment plan and moved on, it

did the opposite and quickly put together a new plan that would be based on geography and multiple diversity criteria. This new strategy included median household income per household member, educational attainment, and percentage of nonwhite students in residential areas. The plan was very similar to BUSD's such that families are allowed to choose among schools within their designated geographic area/cluster; it worked to maintain integrated schools throughout the district (Diem, 2012). However, in recent years the ongoing support for the plan seems to be waning as more families are interested in the achievement disparities between Black and white students in the district, as opposed to integration. Moreover, reports show that JCPS schools are resegregating (Eligon, 2019). In January 2019, acknowledging achievement gaps[2] based on race, among other racial disparities in the district, the JCPS school board adopted its first racial equity plan. The plan is in addition to a racial equity policy that was adopted in 2018, which called for a racial equity plan to address inequities across the district (JCPS, 2019).

Omaha Public Schools

Like JCPS, the Omaha Public Schools (OPS) district was required by a federal court order to desegregate its schools beginning in 1975 (*U.S. & Nellie Mae Webb et al. v. School District of Omaha*, 1975). OPS was only subject to federal court oversight until 1984, yet the white flight that resulted from desegregation decreased the

enrollment in OPS dramatically. Moreover, an option enrollment policy created by the Nebraska State Legislature in 1989, which allowed any K-12 student to enroll in a school in a school district outside the one in which they reside albeit some limitations, provided another avenue for white families to opt out of the district. Segregation, particularly economic, in the Omaha metropolitan area was also increasing at this time (Holme et al., 2009). All of these forces highlighted the need for a new student

[Image description: Omaha, NE skyline in watercolor background]

assignment plan in the district that would seek to diversify its schools.

The OPS Student Assignment Plan was eventually implemented in the 1999-2000 school year, which sought to integrate schools through a zone-controlled choice plan. OPS used free/reduced-price lunch as the SES indicator to integrate schools to reflect the socioeconomic diversity of the district. Students were given the option of

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[2]We want to trouble the term achievement gap; such that "the notion of an achievement gap emphasizes that a student's educational success is largely due to intrinsic motivations or characteristics attributable to a family's perceived culture (Ladson--Billings, 2007; Louie, 2008), while ignoring the generational malpractices students of color, students from disinvested communities, and students with dis/abilities (Annamma et al., 2013) have experienced year after year (Ladson--Billings, 2006, 2007)" (Coomer et al., 2017).

attending the school in their home attendance area, or within their designated zone (OPS, 1999). Today, the district uses a similar plan to that which was implemented in 1999. Partner zones have been established at the elementary (8 zones) and middle (4 zones) school levels. While students are guaranteed a spot at their neighborhood school, if they choose to attend a school in their zone, choices are allowed "via a socioeconomic split line" that "splits schools into two groups based on socioeconomic data like census poverty rates, median household income, and school free/reduced lunch participation rates" (OPS, 2019, p. 9). At the high school level, students are also guaranteed a place at their neighborhood school. However, if they want to attend a school outside of their neighborhood, placement is based on the student's self-reported free/reduced-price lunch eligibility on their school application (OPS, 2019).

OPS has a harder time socioeconomically integrating its schools as compared to BUSD and JCPS; the percentage of students in the district who receive free/reduced price lunch is high—currently 74.9% (OPS, 2020). Among the students who receive free/reduced price lunch, 45.3% are white and at least 70% are nonwhite racial groups (87% Black and 86% Latinx students receive free/reduced-price lunch). While their student population continues to grow, the number of white students in OPS continues to decrease as the number of Latinx and Asian American students increases; the Black student population has remained relatively the same over recent years (OPS, 2020).

Conclusion

By reexamining how BUSD, JCPS, and OPS are continuing their efforts around school integration, I was able to assess if anything has changed in these districts after the dust has settled regarding the

[Image description: Group of students of various racial and ethnic backgrounds & gender expressions, standing in front of graffiti wall.]

Parents Involved (2007) ruling yet a continued lack of understanding regarding the ways in which school districts can pursue such efforts (Anderson & Frankenberg, 2019). Further, demographic contexts have shifted since my initial exploration of these districts and I wanted to know how they were addressing these changes with their integration plans. The majority of the schools in BUSD continue to be integrated but with the district becoming whiter and wealthier, they will need to ensure they are altering the plan as appropriate to remain within its racial and socioeconomic school balance goal (Orenstein, 2018). In OPS, these numbers are dramatically different as the student population is becoming more low-income and nonwhite, which begs the question what school integration means for districts

where diverse student populations do not exist (Horsford, 2019). And in JCPS, amidst the growing calls to focus on achievement over diversity, instead of simultaneously concentrating on both (Frankenberg et al., 2017), the district is considering a plan that is predicted to increase segregation in its schools (Clark, 2020).

All of these observations of the districts has left me pondering Horsford's (2019) questions in regards to how we consider school integration in this political moment when the majority of our schools' populations now comprise students of color, and what it would look like to reimagine school integration. Indeed, a new approach to school integration must be more comprehensive—it should center race, have a clear understanding of how white supremacy and whiteness governs educational policies and practices, integrate to redress inequities and not to appease white families, explicitly address the needs of nonwhite students, and disrupt and transform the current system (Walters & Diem, in press).

At a moment when the country is experiencing a racial reckoning for the centuries of harm it has done to Black and Brown individuals, and COVID-19 is revealing the inequities that have long existed in our society, particular in our education system, we must ask ourselves what are we going to do to address systemic racism and create systems, policies, and practices that attend to everyone's needs—and not just those of a select few. When it comes to school integration, we know that when students attend racially and socioeconomically diverse schools, they thrive both socially and academically. We also know the real harm segregation does to all of us. While school integration plans alone will not attend to the current inequities that exist in our communities, they are still a valuable way to provide diverse learning experiences when designed and implemented properly. By revisiting school districts' efforts to integrate their schools, we can learn more about what strategies work over time and what we may need to rethink as our school communities shift in terms of their demographic and sociopolitical contexts.

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